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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

J.P., a minor, by and through CHANNY SOK-
HANG as guardian,

Plaintiff,

vs.

CITY OF STOCKTON, et al.

Defendants.

Case No.: 2:21-cv-00788-WBS-AC

**STIPULATION AND ORDER FOR
FILING THIRD AMENDED
COMPLAINT, SCHEDULING
RESPONSE DATE, AND CONTINUING
OTHER DATES IN CASE**

[Local Rule 144(a)]

[No hearing required]

1 This Stipulation is respectfully submitted by all named parties: Plaintiff J.P., by and
2 through Channy Sok-Hang as guardian, on the one hand; and Defendants City of Stockton (also
3 named as “Stockton Police Department”) (the “City”), Chief of Police Eric Jones, Officer Jorge
4 Andrade, and Officer Bradley Miller, on the other hand, all through their undersigned counsel of
5 record.

6 RECITALS

7 A. On May 3, 2021, Plaintiff filed this lawsuit.

8 B. On November 1, 2021, Defendants filed a motion to dismiss portions of Plaintiff’s
9 First Amended Complaint. Defendants’ motion to dismiss was heard on November 29, 2021.

10 C. On November 30, 2021, this Court issued an order granting Defendants’ motion
11 to dismiss in part and denying it in part and granting Plaintiff through January 18, 2022, to file a
12 Second Amended Complaint (“SAC”).

13 D. Plaintiff filed his SAC on January 18, 2022.

14 E. Counsel for the parties have met and conferred on Defendants’ potential motion to
15 dismiss portions of the SAC.

16 F. Plaintiff’s counsel has considered the points raised by Defendants’ counsel and
17 intends on filing a Third Amended Complaint (“TAC”) to attempt to address those points in an
18 effort to reduce the scope of, or possibly eliminate the need for, a motion to dismiss.

19 G. Therefore, the parties agree, subject to Court approval, that Plaintiff shall file his
20 TAC by March 14, 2022, and Defendants shall have 28 days from the date of filing to move,
21 plead, or otherwise respond to the TAC.

22 H. Because the parties continue to try to resolve the pleadings, the parties
23 additionally request that the Court continue the following dates for 60 days: (i) The due date for
24 the parties to exchange their initial disclosures, from March 7, 2022, to May 9, 2022; (ii) The due
25 date for the joint status report, to 14 days before the continued initial status conference; and
26 (iii) The date of the initial status conference, from March 28, 2022, to May 30, 2022. The parties
27 request this continuance to allow for the pleadings to be set, so that the parties may discuss and
28 focus the discovery and disclosures that will necessary based on the remaining issues in the case,
prepare a more focused joint status report, and conduct a more productive status conference.

I. The Court previously continued these same dates in its order dated January 14,
2022, based on the parties’ stipulation. (ECF No. 27.)

STIPULATION

IT IS STIPULATED AND AGREED, by the parties, through their counsel of record, as follows:

1. Plaintiff be allowed to file his TAC, and shall have until March 14, 2022 to do so.
2. Defendants' response to the TAC be due 28 days from the date the TAC is filed.
3. The Initial Status Conference be continued to May 30, 2022, or the date soonest thereafter that is agreeable to the Court.
4. The parties' joint status report be due 14 days before the continued Initial Status Conference.
5. The parties will exchange initial disclosures on or before May 9, 2022.

Respectfully Submitted,

Dated: February 4, 2022

HERUM CRABTREE SUNTAG
A California Professional Corporation

By: /s/ Dana A. Suntag
DANA A. SUNTAG
Attorneys for all Defendants

Dated February 4, 2022

LAW OFFICE OF YOLANDA HUANG
By: /s/ Yolanda Huang
YOLANDA HUANG
Attorney for all Plaintiffs

ORDER

IT IS SO ORDERED.

Plaintiff shall be allowed to file his Third Amended Complaint, and must do so by March 14, 2022. Defendants shall have 28 days from the date the Third Amended Complaint is filed to move, plead, or otherwise respond to the Third Amended Complaint.

The Scheduling Conference is continued to **June 6, 2022 at 1:30 p.m.**, to be held via Zoom video conference (unless otherwise ordered).

The joint status report will be due on or before **May 23, 2022**, and the parties must meet and confer by no later than seven days before that date.

The parties' deadline to exchange initial disclosures is continued to May 9, 2022.

Dated: February 7, 2022



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE